

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JOHN P. LITZY, JR.,	:	
Plaintiff,	:	
vs.	:	Case No. 3:13cv00429
CAROLYN W. COLVIN,	:	District Judge Thomas M. Rose
Acting Commissioner of the Social	:	Chief Magistrate Judge Sharon L. Ovington
Security Administration,	:	
Defendant.	:	

DECISION AND ENTRY

The Court has reviewed the Report and Recommendations of Chief United States Magistrate Judge Sharon L. Ovington (Doc. #14), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on August 11, 2014 (Doc. #14) is **ADOPTED** in full;
2. The parties' Joint Stipulation For Award of Attorney Fees under the Equal Access to Justice Act (Doc. #13) is **GRANTED**, and the Commissioner is ordered to pay Plaintiff's attorney fees, costs, and expenses in the total amount of \$4,200.00;
3. Defendant is further ordered to verify, within thirty days of this Decision and Entry, whether or not Plaintiff owes a pre-existing debt to the United States

subject to offset. If no such pre-existing debt exists, Defendant is ordered to pay the EAJA award directly to Plaintiff's attorney; and

4. Plaintiff's Motion for Attorney Fees (Doc. #12) is DENIED as moot.

September 2, 2014

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge